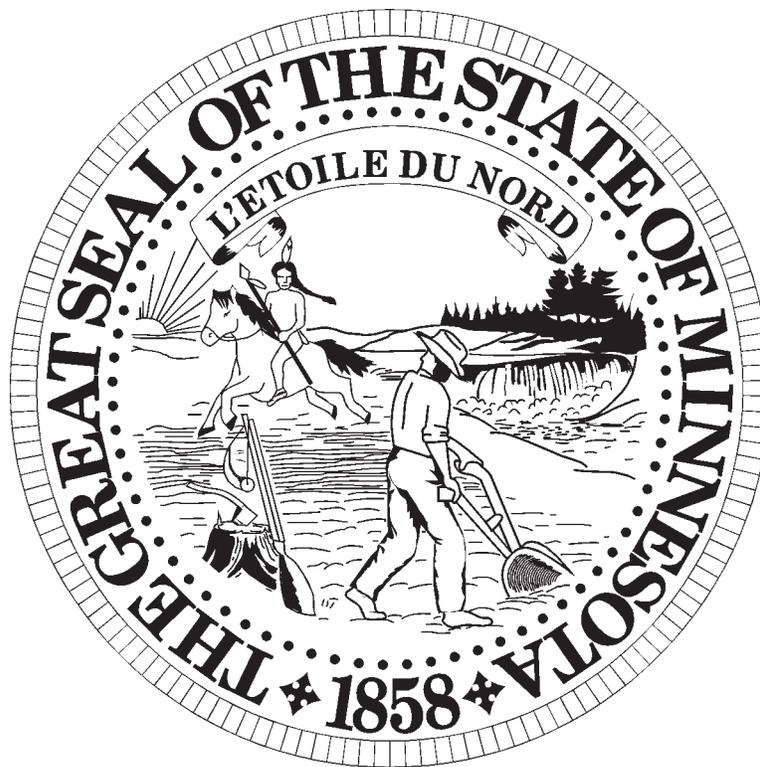


State of Minnesota

State Register



Rules and Official Notices Edition

Published every Monday (Tuesday when Monday is a holiday)
by the Department of Administration – Communications Media Division

TUESDAY 27 December 2005

Volume 30, Number 26

Pages 665 - 692

Cumulative Index to Rules for Issues #1 - 26

State Register

Judicial Notice Shall Be Taken of Material Published in the *State Register*

The *State Register* is the official publication of the State of Minnesota, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes* § 14.46. The *State Register* contains:

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
- certificates of assumed name, registration of insignia and marks

PUBLISHING NOTICES: Submit ONE COPY of your notice, typed double-spaced. State agency submissions must include a "State Register Printing Order" form, and a "Certification/Internal Contract Negotiation" form with contracts for professional, technical and consulting services. Non-State Agencies should submit ONE COPY, with a letter on your letterhead stationery requesting publication and date to be published. E-MAIL submissions to: robin.panlener@state.mn.us, or FAX to: (651) 297-8260. Please follow FAX by sending originals and applicable forms or letters. The charge is \$14.40 per tenth of a page (columns are seven inches wide). One typewritten, double-spaced page is about 4/10s of a page in the *State Register*, or \$57.60. About 2-1/2 pages typed, double-spaced, on 8-1/2"x11" paper equal one typeset page in the *State Register*. Contact the editor if you have questions.

SUBSCRIPTION SERVICES:

Copies are available at Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155. Order by phone: Metro area: (651) 297-3000 Toll free (800) 657-3757. TTY relay service phone number: (800) 627-3529. **NO REFUNDS.** E-mail subscriptions are available by contacting (651) 297-8774. Send address changes to Minnesota's Bookstore, 660 Olive Street, St. Paul, Minnesota 55155.

SEE THE *State Register* free at website: <http://www.comm.media.state.mn.us>.

- **State Register: On-line subscription** – \$180, includes Early View, LINKS, INDEX, and Sidebar Table of Contents *sent to you via E-mail*.
- **Single issues** are available for a limited time: *State Register* \$5.00.
- "Affidavit of Publication" costs \$10.00 and includes a notarized "Affidavit" and a copy of the issue.

Printing Schedule and Submission Deadlines

Vol. 30 Issue Number	PUBLISH DATE (BOLDFACE shows altered publish date)	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for Both Adopted and Proposed RULES
# 26	TUESDAY 27 DECEMBER	Noon Tuesday 20 December	Noon Wednesday 14 December
# 27	TUESDAY 3 JANUARY 2006	Noon Tuesday 27 December	Noon Wednesday 21 December
# 28	Monday 9 January	Noon Tuesday 3 January 2006	Noon Wednesday 28 December
# 29	TUESDAY 17 JANUARY	Noon Tuesday 10 January	Noon Wednesday 4 January 2006

Copyright © 2005 Communications Media Division, Department of Administration, State of Minnesota.

Publication Number: 326630 (ISSN 0146-7751)

THE *STATE REGISTER* IS PUBLISHED by Communications Media Division, Department of Administration, State of Minnesota, pursuant to *Minnesota Statutes* § 14.46 and is available at main branch county libraries in Minnesota and all "State Depository Libraries:" State University and Community College libraries; University of Minnesota libraries; St. Paul, Minneapolis and Duluth Public Libraries; Legislative Reference Library; State Law Library; Minnesota Historical Society Library; and Library Development Service at the State Department of Education.

Tim Pawlenty, Governor (651) 296-3391
Carol L. Molnau, Lt. Governor (651) 296-3391
Mike Hatch, Attorney General (651) 297-4272
Patricia Anderson, State Auditor (651) 297-3670
Mary Kiffmeyer, Secretary of State (651) 296-2079

Department of Administration:
Dana B. Badgerow, Commissioner (651) 296-1424
Communications Media Division:
Mary Mikes, Director (651) 297-3979

State Register:
Robin Panlener, editor (651) 297-7963
John Mikes, assistant editor (651) 297-4616
Jessie Rahmeyer, subscriptions (651) 297-8774

Minnesota Legislative Information

Senate Public Information Office (651) 296-0504
State Capitol, Room 231, St. Paul, MN 55155
Website: www.senate.leg.state.mn.us/departments/secretary/seninfo.htm

House Public Information Services (651) 296-2146
State Office Building, Room 175,
100 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
Website: www.house.leg.state.mn.us/hinfo/hinfo.htm

Minnesota State Court System

Court Information Office (651) 296-6043
MN Judicial Center, Rm. 135, 25 Rev. Dr. Martin Luther King Jr Blvd.,
St. Paul, MN 55155 Website: www.courts.state.mn.us

Federal Register

Office of the Federal Register (202) 512-1530; or (888) 293-6498
U.S. Government Printing Office – Fax: (202) 512-1262
Website: http://www.access.gpo.gov/su_docs/aces/aces140.html

Minnesota Rules: Amendments & Additions

Volume 30, Issues # 1-26, TUESDAY 27 December 2005 668

Proposed Rules

Health Department

Public Health Laboratory Division, Environmental Laboratory Certification Program: Proposed Amendment to Rules Governing Accreditation of Environmental Laboratories, AND Proposed Repeal of Rules Governing Accreditation of Environmental Laboratories..... 670

Expedited Emergency Rules

Natural Resources Department

Adopted Expedited Emergency Game and Fish Rules: Taking Fish on Boundary Waters..... 673

Executive Orders

Governor's Office

Emergency Executive Order #05-22: Providing Relief from Regulations to Motor Carriers and Drivers Operating in Minnesota..... 675

Commissioners' Orders

Natural Resources Department

Designation of Aquatic Management Areas: Order No. AMA 05-009..... 676

Revenue Notices

Revenue Department

Correction to Revenue Notice # 05-11: Sales and Use Tax – Local Lodging, Restaurant and Liquor Taxes..... 682
Correction to Revenue Notice # 05-14: Special Taxes – Cigarette Sales Tax – Promotional Packs of Cigarettes..... 682

Official Notices

Human Services Department

Health Care Administration: Request for Comments on Minnesota's Alternative Care Program Health Care Waiver Request..... 683
Health Services and Medical Management Division, Health Care Administration: Public Notice of Change in Medical Assistance Designation of, and Rates for, Critical Access Dental Providers..... 683

Labor and Industry Department

Labor Standards Unit: Notice of Prevailing Wage Determinations for Commercial Projects..... 685

State Rehabilitation Council

Meeting Dates: February 22 through May 24..... 685

State Grants & Loans

Administration Department

Governor's Council on Developmental Disabilities: Notice of Funds for Local Self Advocacy Groups..... 686

Employment and Economic Development Department

Business & Community Development Division: Request for Applications – Urban Initiative Program..... 686

Public Safety Department

Office of Justice Programs: Application for Funding from the Bureau of Justice Assistance..... 687

State Contracts

Administration Department

Help Your Business..... 687
Real Estate Management Division: Request for Proposals to Lease Office Space in City of Fergus Falls..... 688

Colleges and Universities, Minnesota State (MnSCU)

Availability of Request for Proposal (RFP) for Designer Selection for Parking Ramp at St. Cloud State University.... 688

Higher Education Office

Request for Proposals to Conduct an Economic Impact Assessment..... 688

House of Representatives

Human Resources Department: Request for Bid for Training Services..... 689

Military Affairs Department

Cambridge, Minnesota: Availability of Request for Proposal for Designer Selection for Armed Forces Reserve Center in the Faribault, Minnesota Area..... 689
Facilities Management Office, Camp Ripley, Little Falls, MN: Addenda Items to Request for Proposals for Consultant Services for a Combined Arms Collective Training Facility (CACTF)..... 689

Transportation Department (Mn/DOT)

Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities (the "Consultant Pre-Qualification Program")..... 690
Professional/Technical Contract Opportunities..... 690

Non-State Contracts & Grants

Metropolitan Council

Notice of Request for Proposals (RFP) for Office Furniture Moving Services..... 691

Metropolitan Council - Metro Transit

Sealed Bids Sought for In-Ground Hoist Cylinder Replacement... 691

University of Minnesota

Subscribe to Bid Information Service (BIS)..... 691

Commodity, Service and Construction Contracts information is available from the Materials Management Helpline (651) 296-2600, or Web site:
www.mmd.admin.state.mn.us

Information or subscriptions to the *State Register* is available through Minnesota's Bookstore (651) 297-3000, or (800) 657-3757, Web site:
www.minnesotasbookstore.com

Minnesota Rules: Amendments and Additions

NOTICE: How to Follow State Agency Rulemaking in the State Register

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1999 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, or within 60 days of the effective date of any new statutory grant of required rulemaking.

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the most current edition of the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

Cumulative Rules Index, Volume 30, Issues # 1-26

TUESDAY 5 July 2005 - TUESDAY 27 December 2005

Accounting Board

1105.0100; .0250; .1500; .2900; .3000; .3100; .4100; .4200;
.7850 (adopted)..... 422

Agriculture Department

1650.0021; .0031; .0046; .0056; .0066; .0511; .0601; .0611;
.0661; 1651.0021; .0031; .0041; .0061; .0071; .0081;
1653.0021; .0031; .0071; .0081; .0091; 1655.0021;
.0031; .0061; .0071; .0081; 1656.0011; .0021; .0031;
.0051; .0061; .0071; .0095; .0100 (adopted)..... 372
1650.0021 s. 6; .0031 s. 2, 3; 1653.0031 s. 3; 1655.0041;
1656.0021 s. 18; .0091 (repealed)..... 372

Animal Health Board

1700.1810; .1820; .1830; .1840; .1850; .1816; 1705.2710; .2720;
.2730; .2740; .2750; 1715.0110; .0160 (proposed)..... 265
1700.1800; .1900; .4600; .4700; 1715.0115
(proposed repealer)..... 265

Behavioral Health and Therapy Board

2150.0050; .0060; .0070; .0080; .0090; .0100; .0110; .0120;
.0130; .0140; .0150; .0160 (adopted)..... 5
2150.2520; .2530; .2560; 2580; .2590
(proposed expedited)..... 642
2150.2590 s. 3 (proposed expedited repealer)..... 642
2150.7500; .7505; .7510; .7515; .7520; .7525; .7530; .7535;
.7540; .7545; .7550; .7555; .7560; .7565; .7570; .7575; .7580;
.7585; .7590; .7595; .7600; .7605; .7610 (proposed)..... 345

Chiropractic Examiners Board

2500.0710 (adopted)..... 393
2500.0800 (adopted)..... 393
2500.1550 (adopted)..... 394

Employment and Economic Development Department

3300.5000; .5010; .5020; .5030; .5040; .5050; .5060
(proposed)..... 197
3300.5010 s. 5, 7, 19, 32; .5030 s. 5 (proposed repealer)... 197

Employee Relations Department

3900.0100; .0400; .2100; .3100; .3200; .3400; .3401; .4200;
.4300; .4400; .4500; .4700; .5100; .5200; .5300; .6650; .6700;
.7500; .8100; .8200; .8300; .8400; .8500 (proposed)..... 365
3900.0400 s. 6, 12a, 13; .4600; .6200 (proposed repealer)... 365

Environmental Quality Board

4410.4300; .4600 (adopted)..... 319

Campaign Finance and Public Disclosure Board

4501.0100; .0300; .0500; 4503.0100; .0500; .0900; .1400; .1500;
.1800; 4505.0900; 4511.0500; .0600; 4512.0200; .4525.0200;
.0500 (proposed)..... 473
4525.0200 s.3 (proposed repealer)..... 473

Health Department

4605.7000; .7020; .7030; .7040; .7042; .7044; .7046; .7050;
.7060; .7070; .7075; .7080; .7090; .7100; .7500; .7700;
.7800 (adopted)..... 247
4685.0801 (proposed)..... 270
4685.0935, s. 2; .2400; .3300, s. 6, 7, 11; 4736.0100;
.4763.0310; .0320; .0330 (proposed repealer)..... 270
4725.5650; 4740.2010; .2050; .2060; .2065; .2070; .2075;
.2080; .2085; .2087; .2089; .2091; .2093; .2095; .2097; .2099;
.2100; .2110; .2120 (proposed)..... 670
4740.2020; .2030; .2040 (proposed repealer)..... 670

Minnesota Rules: Amendments and Additions

Labor and Industry Department

5205.0010 (proposed exempt).....	595
5219.0500; 5221.4020; .4040; .4041; .4050; .4060; .4062 (adopted exempt).....	291, 320
5221.0100; .0405; .0700; .4070 (proposed).....	636
5221.4040 s. 2b; .4050 s. 2b; .4060 s. 2b (repealed).....	291, 320

Natural Resources Department (DNR)

6230.0290; .0400; 6234.0200; .0400; .0500; .1700; .2000; 6240.0610; .1000; .1200; .1500; .1600; .1700; .1750; .1800; .1850; .2100 (adopted expedited emergency).....	214
6230.0400 s. 29; 6234.1800; 6240.1000 s.2; .1800 s. 2, 3 (repealed expedited emergency).....	214
6200.0200; 6230.0200; .0250; .0400; .0600; .0700; .0800; .1000; .1100; 6232.0200; .0300; .0400; .0500; .0600; .0700; .0900; .1000; .1100; .1250; .1300; .1400; .1600; .1750; .1800; .1950; .2000; .2050; .2100; .2550; .2560; .2900; .3800; .4100; .4700; 6234.0300; .0400; .0800; .1200; .1300; .1400; .1600; .1700; .2000; .2100; .2300; .2400; .2600; .2800; 6236.0300; .0600; .0700; .0810; .0900; .1070; 6237.0100; .0200; .0300; .0400; .0500; .0600; .0700; 6240.0200; .0610; .1000; .1100; .1150; .1200; .1500; .1600; .1700; .1750; .1800; .1850; .1900; .2000; .2100; .2600 (proposed).....	613
6230.0400 s. 29; .0800 s. 3; 6232.0200 s. 3, 5a; .1100 s. 5; .1200; .1900; .2450; .3800 s. 2; .4700 s. 3, 4, 6, 7, 11, 12, 13, 14, 15, 17, 18, 19, 22, 23, 24, 27, 30, 34, 36, 38, 41, 42, 44, 47, 49, 50, 51, 53, 66, 74, 87; 6234.1800; .2600 s. 1, 2; 6240.1000, s.2; .1800 s. 2, 3 (proposed repealer).....	613
6232.0200; .0300; .0350; .0400; .0600; .0700; .0800; .1250 .1300; .1400; .1500; .1600; .1750; .1800; .1950; .2000; .2050; .2100; .2500; .2550; .2800; .3100; .4700 (adopted expedited emergency).....	163
6232.0300; 6262.0100; .0200; 6266.0500 (adopted exempt).....	396
6232.0600 s. 1, 2, 6; .2900 s. 2; 6236.0300 s. 1, 2, 6; .0810 (proposed repealer).....	613
6232.0900; .1000; .2550; .2560 (adopted expedited emergency).....	44
6232.2500 (adopted expedited emergency).....	399
6234.0300; 6236.0300; .0700; 6237.0100; .0200; .0300; .0400; .0500; .0600; .0700 (adopted expedited emergency).....	5
6236.0811; .1060 (adopted expedited emergency).....	596
6236.1060, s. 1, 2 (repealed expedited emergency).....	596
6240.0200; .0610; .0650; .0950; .1100; .1150; .1850; .1900 (adopted expedited emergency).....	321
6240.0610 s. 3; .1850 (repealed expedited emergency)...	321
6266.0300 (adopted expedited emergency).....	673

Peace Officer Standards and Training Board

6700.0501; .0700; .1600 (proposed).....	497
6700.0501 s. 4 (proposed repealer).....	497

Pollution Control Agency

7001.0010; .0140; .3050; .3075; .3400; .3410; .3500; 7011.1245; 7035.0300; .0800; .2525; .2535; .2565; .2585; .2625; .2635; .2645; .2655; .2870 (adopted).....	529
7001.0020; 7105.0090 (proposed).....	419
7001.0520; 7045.0020; .0120; .0206; .0208; .0214; .0450; .0552; .0685; .1400 (adopted).....	43
7021.0050, s. 4, 6; 7027.1150, s. 2; 7039.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100; .0110; .0120; 7075.0100; .0200; .0400; .0401; .0402; .0403; .0404; .0405; .0406; .0407; .0408; .0409; .0410; .0411; .0412; .0413; .0414; .0415; .0416; .0417; .0419; .0420; .0421; .0423; .0424; .0425; .0426; .0427; .0428; .0429; .0430; .0431; .0432; .0433; .2000; .2100; .2200; .4900; .5000; 7105.0060, s. 5a (proposed repealer).....	419

7035.2865 (repealed).....	529
7045.0020; 7045:1400 (adopted).....	43
7045.0020; 7045:1400 (adopted).....	127
7077.0100; .0105; .0115; .0116; .0117; .0118; .0119; .0121; .0272; .0277; .0279; .0280; .0281; .0286; .0288 (proposed).....	89
7077.0105 s.14a; .0111; .0165; .0167; .0169; .0171; .0173; .0175; .0176; .0177; .0179; .0181; .0185; .0186; .0187; .0189; .0191; .0195; .0196; .0197; .0276; .0278; .0280 s. 3, 5; .0281 s.2; .0300; .0310; .0315; .0320; .0325; .0330 (proposed repealer).....	89
7080.0020; .0110; .0715; .0900 (proposed).....	499
7090.0060; .0080; .1010; .2010; .2020; .2030 (adopted).....	125

Psychology Board

7200.1550 (proposed).....	549
---------------------------	-----

Public Safety Department

7501.0900; 7502.0420 (adopted expedited).....	29
---	----

Weights & Measures - Commerce Department

7601.0100; .1000; .1010; .1020; .2000; .3000; .3010; .3015; .3020; .3030; .4010; .8000; .9000; .9010; .9020; .9030; .9040; .9050 (proposed).....	346
--	-----

Lottery, Minnesota State

7856.4010; .6010; .7010; .7040; 7857.4000; .4010; .4040; .5000 (proposed).....	87
7856.7030, 7857.4041 s. 2 (proposed repealer).....	87
7856.4010; .6010; .7010; .7040; 7857.4000; .4010; .4040; .5000 (withdrawn).....	272
7856.4010; .6010; .7010; .7040; 7857.4000; .4010; .4040; .5000 (adopted).....	478
7856.4010 s.16 (proposed withdrawal).....	272
7856.4010 s.16; .7030; 7857.4041 s.2 (withdrawn).....	478
7856.7030, 7857.4041 s. 2 (withdrawn).....	272

Teaching Board

8710.1410 (adopted).....	504
8710.4310; .8010; .8020; .8030; .8040; .8050; .8060; .8070; .8080 (proposed).....	443
8710.4725 (proposed).....	211

Transportation Department

8800.0100; .1100; .1200; .1400; .1600; .1650; .1700; .1800; .1900; .2000; .2100; .2200; .2300; .2800; .3100; .3200; .3300; .3600; .3800; .3900; .3950; .4100; .4300; .4400; .4600; .4800; (adopted).....	213
8800.1300; .1800 s. 2, 5, 12; .2100 s. 3, 5; .3400 (repealed).....	213

Human Services Department

9502.0315; .0335; .0341; .0345; .0425; 9503.0005; .0015; .0065; .0075; 9543.0010; .0020; .0050; .0070; .0090; .0100; .0110; .0140; .0150; 9545.0775; 9555.5105; .5505; .5515; .6125; .6145; .6165; .6175; .6195; .9600; .9730 (adopted exempt).....	585
9502.0335 s. 8b; .0341 s. 6, 7; 9543.0100 s. 5 (repealed exempt).....	585

Proposed Rules

Comments on Planned Rules or Rule Amendments. An agency must first solicit Comments on Planned Rules or Comments on Planned Rule Amendments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

Rules to be Adopted After a Hearing. After receiving comments and deciding to hold a public hearing on the rule, an agency drafts its rule. It then publishes its rules with a notice of hearing. All persons wishing to make a statement must register at the hearing. Anyone who wishes to submit written comments may do so at the hearing, or within five working days of the close of the hearing. Administrative law judges may, during the hearing, extend the period for receiving comments up to 20 calendar days. For five business days after the submission period the agency and interested persons may respond to any new information submitted during the written submission period and the record then is closed. The administrative law judge prepares a report within 30 days, stating findings of fact, conclusions and recommendations. After receiving the report, the agency decides whether to adopt, withdraw or modify the proposed rule based on consideration of the comments made during the rule hearing procedure and the report of the administrative law judge. The agency must wait five days after receiving the report before taking any action.

Rules to be Adopted Without a Hearing. Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules or Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

KEY: Proposed Rules - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **Adopted Rules** - Underlining indicates additions to proposed rule language. ~~Strikeout~~ indicates deletions from proposed rule language.

Minnesota Department of Health

Public Health Laboratory Division

Environmental Laboratory Certification Program

Proposed Amendment to Rules Governing Accreditation of Environmental Laboratories, *Minnesota Rules*, Parts 4740.2010 to 4740.2040

AND

Proposed Repeal of Rules Governing Accreditation of Environmental Laboratories, *Minnesota Rules*, Parts 4740.2010 to 4740.2040

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, AND Notice of Hearing If 25 or More Requests for Hearing Are Received

Introduction. The Department of Health intends to adopt rules without a public hearing following the procedures set forth in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on February 1, 2006, a public hearing will be held in Conference room B144, Freeman Building, Minnesota Department of Health, 625 Robert Street North, St. Paul, Minnesota 55164-0975, starting at 9:00 a.m. on Thursday, February 23, 2006. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after February 1, 2006, and before February 23, 2006.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Susan Wyatt at the Minnesota Department of Health, 601 Robert Street North, St. Paul, Minnesota 55164-0899, phone: (651) 201-5323 or **e-mail:** susan.wyatt@health.state.mn.us. TTY users may call the Department of Health at (651) 297-1313.

Subject of Rules and Statutory Authority. The proposed rules are about accreditation of environmental laboratories *Minnesota Rules*, Chapter 4740, Parts 4740.2010 through 4740.2040 and proposed of repeal of particular rules in *Minnesota Rules*, Chapter 4740, Parts 4740.2010 through 4740.2040. MDH is considering rule amendments to assure a high standard for the quality of data produced by laboratories engaged in environmental testing and to further clarify the intent of the current *Minnesota Rules*. Adoption of these rule amendments will ensure that Minnesota regulations for laboratory certification are in-line with those of other states. A consistent approach to regulation of laboratories allows meaningful exchange of laboratory information between states and in reporting to federal

Proposed Rules

agencies. A rule consistent with national standards also allows laboratories certified by multiple states to more easily interpret the regulation and achieve compliance.

The statutory authority to adopt the rules is *Minnesota Statutes*, section 144.97 and 144.98. A copy of the proposed rules is available on the program's website <http://www.health.state.mn.us/divs/phl/cert/rulemaking.pdf>. Upon request, a free copy is available from the department.

Comments. You have until 4:30 p.m. on Thursday, February 1, 2006, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on Thursday, February 1, 2006. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency when determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

Withdrawal of Requests. If 25 or more persons submit a valid written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Alternative Format/Accommodation. Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

Modifications. The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rules may not be substantially different than these proposed rules, unless the procedure under *Minnesota Rules*, part 1400.2110, has been followed. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

Cancellation of Hearing. The hearing scheduled for February 23, 2006, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (651) 201-5323 after February 1, 2006 to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Barbara L. Neilson is assigned to conduct the hearing. Judge Neilson can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, **Telephone:** (612) 341-7604, and **Fax:** (612) 349-2665.

Hearing Procedure. If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day rebuttal period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day rebuttal period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment or rebuttal period also submit a copy of the written views or data to the agency contact person at the address stated above.

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement may also be reviewed and copies obtained at the cost of reproduction from the agency.

Proposed Rules

Notice of Analytes Available for Certification. The agency is repealing *Minnesota Rules*, Chapter 4740, Part 4740.2040 which details the list of analytes available for certification. Concurrent with the notice to adopt amendments to *Minnesota Rules*, Chapter 4740, Parts 4740.2010 through 4740.2040, the agency is giving notice that a list of analytes available for certification is available and will be reviewed by the department every six months. Amendments to the list of analytes will be published in the *State Register* and notice will be provided prior to adoption of the amended list.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, **Telephone:** (651) 296-5148 or 1-800-657-3889.

Adoption Procedure if No Hearing. If no hearing is required, the agency may adopt the rules after the end of the comment period. The rules and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Adoption Procedure After a Hearing. If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rules and the rules are filed with the Secretary of State, and can make this request at the hearing or in writing to the agency contact person stated above.

Order. I order that the rulemaking hearing be held at the date, time, and location listed above.

Dated: December 19, 2005

Dianne M. Mandernach, Commissioner
Minnesota Department of Health

Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to adopt expedited emergency rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Expedited emergency rules are effective upon publication in the State Register, and may be effective up to seven days before publication under certain emergency conditions.

Expedited emergency rules are effective for the period stated or up to 18 months. Specific *Minnesota Statute* citations accompanying these expedited emergency rules detail the agency's rulemaking authority.

KEY: Proposed Rules - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **Adopted Rules** - Underlining indicates additions to proposed rule language. ~~Strikeout~~ indicates deletions from proposed rule language.

Department of Natural Resources

Adopted Expedited Emergency Game and Fish Rules: Taking Fish on Boundary Waters

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of the rules is *Minnesota Statutes*, sections 97A.045, subd. 4, and 97C.401.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are as follows.

- The emergency rule adopted in 2004 that changed *Minnesota Rule*, part 6266.0300, Subp. 2 (a) needs to be extended for 18 months while we continue to work through the permanent rule making process. It is important to keep this regulation in place so that consistent border water regulations are maintained.
- The implementation of consistent regulations on border waters is important because it is much less confusing for the angling public and helps reduce enforcement problems.

Dated: December 9, 2005

Gene Merriam, Commissioner
Department of Natural Resources

6266.0300 TAKING OF FISH ON MINNESOTA-NORTH DAKOTA BOUNDARY WATERS.

[For text of subpart 1, see M.R.]

Subp. 2. **Species, seasons, and limits on Minnesota-North Dakota boundary waters.** The following applies to the species, seasons, and limits for taking fish on Minnesota-North Dakota boundary waters:

Species	Open Season	Daily and Possession Limits
A. Walleye and sauger	First Saturday in May to the last day in February. <u>March 1 to the Continuous Friday before the first Saturday in May.</u>	5-in aggregate. 3 in aggregate. All fish that are from 18 inches to 28 inches in length, inclusive, must be immediately returned to the water.

Expedited Emergency Rules

A person's possession limit may not include more than one walleye greater than 28 inches in length or two walleye less than 18 inches in length.

B. Northern pike

Continuous
First Saturday in May to the last day in February.

3

March 1 to the Friday before the first Saturday in May.

3, except that all northern pike in possession must be less than 27 inches in length. All northern pike 27 inches or greater in length must be immediately returned to the water.

[For text of items C to L, see M.R.]

[For text of subs 3 to 7, see M.R.]

Executive Orders

The governor has the authority to issue written statements or orders, called Executive Orders, as well as Emergency Executive Orders. The governor's authority is specified in the *Constitution of the State of Minnesota*, Article V, and in *Minnesota Statutes* § 4.035. Emergency Executive Orders, for protection from an imminent threat to health and safety, become effective immediately, are filed with the secretary of state, and published in the *State Register* as soon as possible after they are issued. Other Executive Orders become effective 15 days after publication in the *State Register* and filing with the secretary of state. Unless otherwise specified, an executive order expires 90 days after the date the governor who issued the order vacates office.

Office of the Governor

Emergency Executive Order #05-22: Providing Relief from Regulations to Motor Carriers and Drivers Operating in Minnesota

I, **TIM PAWLENTY, GOVERNOR OF THE STATE OF MINNESOTA**, by virtue of the authority vested in me by the Constitution and applicable laws, including *Minnesota Statutes* 2004, Section 221.0269, do hereby issue this emergency executive order:

WHEREAS, the severe winter storm in Northwestern Minnesota, cold weather conditions and maintenance procedures that have temporarily shut down a propane pipeline have seriously affected the supply of propane which is essential to the safety and well-being of Minnesotans; and

WHEREAS, because of the supply issues and cold weather, drivers of delivery trucks are required to wait for longer periods of time, up to several hours, at terminals to load fuel, resulting in an inordinate loss of available driving time under current regulations;

WHEREAS, this situation has resulted in distribution and delivery problems and has affected the availability of propane, heating and motor fuels.

NOW, THEREFORE, I hereby order that:

1. A state of emergency exists that requires relief from regulations incorporated in *Minnesota Statutes* 2004, Section 221.0314, Subdivision 9, pertaining to hours of service for carriers and drivers of commercial motor vehicles, while transporting propane, heating and motor fuels.

2. Nothing herein shall be construed to relieve motor carriers and drivers transporting propane, heating and motor fuels from regulations pertaining to qualifications of drivers, driving of commercial motor vehicles, or parts and accessories necessary for the safe operation of vehicles.

3. No motor carrier operating under the terms of this emergency order shall require or allow a fatigued or ill driver to operate a motor vehicle. A driver who informs a carrier that he or she needs immediate rest shall be given at least eight consecutive off-duty hours before the driver is required to return to service.

4. Upon the expiration of the effective date of this emergency order, or when a driver has been relieved of all duty and responsibility to provide direct assistance to the emergency effort, a driver that has had at least 34 consecutive hours off-duty shall be permitted to start his or her on-duty status hours and 60/70 hour clock at zero.

Pursuant to *Minnesota Statutes* 2004, Section 4.035, Subdivision 2, this executive order is effective immediately and shall remain in effect until 11:59 p.m. Central Standard Time December 30, 2005, unless superceded or extended under *Minnesota Statutes* 2004, Section 221.0269, Subdivision 2.

IN TESTIMONY WHEREOF, I have set my hand this 16th day of December 2005.

Signed: **TIM PAWLENTY**
Governor

Filed According to Law:

Signed: **MARY KIFFMEYER**
Secretary of State

Commissioners' Orders

Various agency commissioners are authorized to issue "commissioner's orders" on specified activities governed by their agency's enabling laws. See the *Minnesota Statutes* governing each agency to determine the specific applicable statutes. Commissioners' orders are approved by assistant attorneys general as to form and execution and published in the *State Register*. These commissioners orders are compiled in the year-end subject matter index for each volume of the *State Register*.

Department of Natural Resources

Designation of Aquatic Management Areas: Order No. AMA 05-009

Pursuant to the provisions of *Minnesota Statutes*, section 86A.07, subdivision 3(2), and section 86A.05, subdivision 14(e), the following described lands under the jurisdiction of the Minnesota Department of Natural Resources meet the criteria as being suited for aquatic management areas:

Agate Rearing Pond AMA, Cass County

Located in Township 135, Range 29, in the following sections, as described in deeds previously recorded at the Cass County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	132047	3/5/1948	32	NESW

Ah Gwah Ching AMA, Cass County

Located in Township 142, Range 31, in the following section, as described in deeds previously recorded at the Cass County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	11001	6/2/1987	35	GL3 & 4
2	Fee Title	314059	6/14/1989	35	GL3 & 4

Cory Brook AMA, Cass County

Located in Township 135, Range 30, in the following sections, as described in deeds previously recorded at the Cass County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
4	Easement	225022	2/27/1976	9	NWSE
5	Fee Title	161716	5/27/1959	9	SWSE
6	Easement	228314	10/6/1976	16	W1/2NE
7	Easement	220684	5/28/1975	16	E1/2SE
8	Easement	161508	3/24/1959	21	E1/2NE
13	Easement	230675	3/12/1977	15	NWSW

Foreham & Poplar Creek AMA, Cass County

Located in Township 136, Range 32, in the following sections, as described in deeds previously recorded at the Cass County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
15	Easement	250399	1/28/1989	28	SWSE

Gould Lake AMA, Cass County

Located in Township 142, Range 31, in the following sections, as described in deeds previously recorded at the Cass County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	182877	7/18/1966	12	SWSW

Hazel Lake AMA, Cass County

Located in Township 141, Range 29, in the following sections, as described in deeds previously recorded at the Cass County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	162680	9/1/1959	25	S1/2NE

Commissioner's Orders

Howard Lake AMA, Cass County

Located in Township 141, Range 31, in the following sections, as described in deeds previously recorded at the Cass County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	186969	10/3/1967	19	SWSW

Larson Lake AMA, Cass County

Located in Township 140, Range 30, in the following sections, as described in deeds previously recorded at the Cass County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	185471	4/29/1967	10	NWNE
2	Fee Title	184546	12/29/1966	3	SWSE
3	Fee Title	185070	3/6/1967	10	NENW

Laura Lake AMA, Cass County

Located in Township 140, Range 26, in the following sections, as described in deeds previously recorded at the Cass County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	140990	9/25/1951	5	NESW
2	Easement	139938	5/16/1951	5	SESW

Leech Lake AMA, Cass County

Located in Township 142, Range 30, in the following sections, as described in deeds previously recorded at the Cass County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	182864	7/11/1966	22	NWSW

Morrison Lake AMA, Cass County

Located in Township 139, Range 25, in the following sections, as described in deeds previously recorded at the Cass County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	188991	3/22/1968	29	SWSW

Pine Mountain AMA, Cass County

Located in Township 138, Range 31, in the following sections, as described in deeds previously recorded at the Cass County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	179580	7/19/1965	1	N1/2NE
1A	Easement	189450	5/17/1968	1	NENE
2	Fee Title	180143	9/11/1965	1	SENE
3	Fee Title	179312	5/26/1965	1	SWNE
4	Fee Title	182961	8/4/1966	1	SENE
5	Fee Title	180253	9/3/1965	1	NWSE

Spire Valley AMA, Cass County

Located in Township 139, Range 26, in the following sections, as described in deeds previously recorded at the Cass County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	189233	5/24/1968	10	S1/2NE
2 & 3	Fee Title	226387	6/11/1976	11	SWSW

Commissioner's Orders

Stoney Brook AMA, Cass County

Located in Township 135, Range 29, in the following sections, as described in deeds previously recorded at the Cass County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
36	Easement	377206	5/17/1996	8	SWSE
39 & 41	Fee Title	330625	7/30/1991	9	SENE
35,3D-F-G	Easement	329264	6/4/1991	8	W1/2
3E	Easement	368371	7/3/1995	8	SESW
3B & 3C	Fee Title	143402	8/5/1952	30	N1/2NW
37	Easement	143402	8/5/1952	8	NWSE

Stump Lake AMA, Cass County

Located in Township 134, Range 30, in the following sections, as described in deeds previously recorded at the Cass County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	153169	11/28/1955	35	W1/2NW
2	Fee Title	114561	7/27/1942	26	NWSE
3	Fee Title	114561	7/27/1942	23	NENW
4	Fee Title	114561	7/27/1942	22	NWSE,SENW

Tanglewood Lake AMA, Cass County

Located in Township 141, Range 30, in the following sections, as described in deeds previously recorded at the Cass County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	162680	9/1/1959	17	SWNE

Web Lake AMA, Cass County

Located in Township 140, Range 30, in the following sections, as described in deeds previously recorded at the Cass County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	180456	10/1/1965	13	W1/2SE
2	Fee Title	180043	9/1/1965	24	W1/2NE
3	Fee Title	187024	10/2/1967	13	N1/2SE
4	Fee Title	182333	5/7/1966	13	SESE
5	Easement	180455	10/1/1965	13	NWSE

Allen Lake AMA, Crow Wing County

Located in Township 138, Range 26, in the following sections, as described in deeds previously recorded at the Crow Wing County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	232517	7/8/1968	5	W1/2SE

Arrowhead Lake AMA, Crow Wing County

Located in Township 138 & 137, Range 28, in the following sections, as described in deeds previously recorded at the Crow Wing County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	227020	6/1/1967	34	SESE
2	Fee Title	219815	10/4/1965	35	SWSW
3	Fee Title	222326	5/26/1966	35	SE1/4
4	Fee Title	219058	9/17/1965	35	NWSW
5	Fee Title	224811	11/26/1966	3 (T137)	NWNE

Commissioners' Orders

Bay Lake AMA, Crow Wing County

Located in Township 45, Range 28, in the following sections, as described in deeds previously recorded at the Crow Wing County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	224556	10/24/1966	22	NWNW
2	Fee Title	227187	7/10/1967	22	NWNW

Borden Creek AMA, Crow Wing County

Located in Township 44, Range 28, in the following sections, as described in deeds previously recorded at the Crow Wing County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
3	Easement	325610	3/10/1982	8	SESE
7	Easement	325158	2/2/1982	9	SWSW

East Twin Lake AMA, Crow Wing County

Located in Township 136, Range 29, in the following sections, as described in deeds previously recorded at the Crow Wing County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	225105	12/28/1966	26	NESW

Garrison AMA, Crow Wing County

Located in Township 44, Range 28, in the following sections, as described in deeds previously recorded at the Crow Wing County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	118789	8/7/1940	12	SE1/4
2	Fee Title	177959	10/23/1940	12	NWSE
3	Fee Title	177960	10/26/1940	12	NWSE

Hay Creek AMA, Crow Wing County

Located in Township 137, Range 28, in the following sections, as described in deeds previously recorded at the Crow Wing County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
4	Fee Title	218047	7/27/1965	30	SWSW
5	Fee Title	217631	4/1/1965	30	S1/2NW
5a	Fee Title	217632	5/17/1965	30	NWSW

Hubert Lake AMA, Crow Wing County

Located in Township 135, Range 29, in the following sections, as described in deeds previously recorded at the Crow Wing County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	235709	2/25/1969	25	NWNW
2	Fee Title	35177	11/4/1968	26	GL1

Jenkins AMA, Crow Wing County

Located in Township 137, Range 29, in the following sections, as described in deeds previously recorded at the Crow Wing County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	220856	12/23/1965	13	GL4
2	Fee Title	QC1801	1/23/1942	13	GL5
3	Fee Title	1011	11/16/1921	12	SESW

Commissioners' Orders

Lower Hay AMA, Crow Wing County

Located in Township 137, Range 29, in the following sections, as described in deeds previously recorded at the Crow Wing County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
2	Fee Title	214133	10/2/1964	25	NWNE

Nelson Lake AMA, Crow Wing County

Located in Township 137, Range 29, in the following sections, as described in deeds previously recorded at the Crow Wing County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	226067	4/20/1967	23	SESE
2 & 2A	Fee Title	229161	11/16/1967	26	NENE

Nokassippi River AMA, Crow Wing County

Located in Township 45, Range 29, in the following sections, as described in deeds previously recorded at the Crow Wing County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
3	Fee Title	230168	2/19/1968	28	SESW
4	Fee Title	230713	3/4/1968	33	E1/2NW

Nokay Lake AMA, Crow Wing County

Located in Township 45, Range 29, in the following sections, as described in deeds previously recorded at the Crow Wing County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	190291	12/30/1958	14	NENE

Pine River Reservoir AMA, Crow Wing County

Located in Township 137, Range 28, in the following sections, as described in deeds previously recorded at the Crow Wing County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	150299	5/19/1948	17	GL1,2,3

Rogers Lake AMA, Crow Wing County

Located in Township 137, Range 25 & 26, in the following sections, as described in deeds previously recorded at the Crow Wing County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	235669	11/20/1968	19 (R25)	NWNW
2	Fee Title	269273	8/13/1974	24(R26)	NENE

Ruth Lake AMA, Crow Wing County

Located in Township 138, Range 26, in the following sections, as described in deeds previously recorded at the Crow Wing County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	193564	2/11/1959	15	GL1

Rogers Lake AMA, Crow Wing County

Located in Township 137, Range 25 & 26, in the following sections, as described in deeds previously recorded at the Crow Wing County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	235669	11/20/1968	19 (R25)	NWNW
2	Fee Title	269273	8/13/1974	24 (R26)	NENE

Commissioner's Orders

Segouchie Creek AMA, Crow Wing County

Located in Township 44, Range 28, in the following sections, as described in deeds previously recorded at the Crow Wing County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	222159	2/14/1966	36	SEnw
1A	Easement	229644	11/16/1967	36	SEnw
2	Easement	277347	1/22/1976	36	SWNW
3	Fee Title	277423	1/15/1976	36	NWSW
4	Fee Title	33610	8/25/1967	36	NESW
5	Fee Title	33610	8/25/1967	36	SWNE

West Lower Hay Lake AMA, Crow Wing County

Located in Township 137, Range 29, in the following sections, as described in deeds previously recorded at the Crow Wing County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	220370	12/4/1965	13	S1/2SW
2	Fee Title	219207	9/8/1965	24	N1/2NW
3	Fee Title	218994	9/15/1965	24	N1/2NW
3A	Easement	314773	9/19/1980	24	N1/2NW

Whiskey Creek AMA, Crow Wing County

Located in Township 133, Range 28, in the following sections, as described in deeds previously recorded at the Crow Wing County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	231821	6/19/1968	4	NW1/4
2	Easement	230955	4/17/1968	4	NENW
4	Fee Title	234517	11/8/1968	4	NWNE

White Sand Lake AMA, Crow Wing County

Located in Township 133, Range 29, in the following sections, as described in deeds previously recorded at the Crow Wing County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	186333	4/12/1958	1	NWSW
1A	Fee Title	372263	2/11/1987	1	GL6
1B	Easement	185590	12/6/1957	2	GL7
2	Fee Title	189426	8/18/1958	2	NESE
2A	Easement	185591	1/8/1958	1	GL6
3	Fee Title	188097	8/16/1958	2	SENE
4	Fee Title	188922	10/22/1958	2	SENE
5	Fee Title	189427	10/10/1958	1	SWNW
5A	Easement	622467	11/12/2002	1	GL5

Whitley's Creek AMA, Crow Wing County

Located in Township 45, Range 30, in the following sections, as described in deeds previously recorded at the Crow Wing County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Easement	108873	9/28/1993	17	NENE
2	Easement	423330	6/6/1991	16	NWNW
3	Easement	310837	2/17/1980	16	SWNW
5	Easement	306388	7/17/1979	16	SWNW
6	Easement	51693	8/2/1979	20	NENE
9	Easement	423868	6/18/1991	16	SWNW
10	Easement	438553	6/19/1992	16	NWNW
11	Easement	459797	11/5/1993	16	NWNW

Commissioner's Orders

Wolvert's AMA, Crow Wing County

Located in Township 44, Range 29, in the following sections, as described in deeds previously recorded at the Crow Wing County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	254974	7/10/1972	4	S1/2NW
2	Fee Title	244142	9/28/1970	5	SENE
2	Easement	244142	9/28/1970	5	SENE

NOW THEREFORE, IT IS HEREBY ORDERED that the lands described above are designated as aquatic management areas.

Dated:

Gene Merriam, Commissioner
Department of Natural Resources

Revenue Notices

The Department of Revenue began issuing Revenue Notices in July of 1991. Revenue Notices are statements of policy made by the department that provide interpretation, detail, or supplementary information concerning a particular statute, rule, or departmental practice. The authority to issue Revenue Notices is found in *Minnesota Statutes*, Section 270C.07.

Department of Revenue

Correction to Revenue Notice # 05-11: Sales and Use Tax – Local Lodging, Restaurant and Liquor Taxes

The notice appearing at *State Register* 30 SR 448 (Monday 31 October 2005) had a typographical error and should contain the following correction. In the second sentence of the first paragraph under the heading "Local Restaurant and Liquor Taxes," the word "lodging" should be "liquor" so it reads as follows: "Local restaurant and **liquor** taxes are generally imposed upon food and beverages sold by restaurants, caterers and places of refreshment, and on retail sales of intoxicating liquor and fermented malt beverages at licensed on-sale liquor establishments."

Department of Revenue

Correction to Revenue Notice # 05-14: Special Taxes – Cigarette Sales Tax – Promotional Packs of Cigarettes

The notice appearing at *State Register* 30 SR 567 (Monday 28 November 2005) had a typographical error and should contain the following correction. In the first sentence of the third paragraph, the word "date" should be "state" so it reads as follows: "*Minnesota Statutes*, section 297F.08, subdivision 1, provides that before delivering any package of cigarettes to any person in this **state**, a distributor shall firmly affix the appropriate stamps to each package of cigarettes."

Official Notices

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

Department of Human Services

Health Care Administration

Request for Comments on Minnesota's Alternative Care Program Health Care Waiver Request

The Minnesota Department of Human Services is announcing a 30-day comment period on a waiver request document submitted to the federal Centers for Medicare & Medicaid Services (CMS), U.S. Department of Health & Human Services, requesting federal funds for Minnesota's Alternative Care Program.

The Alternative Care Program provides an array of home and community-based services to elderly Minnesotans who are not yet financially eligible for Medical Assistance (Medicaid) health care benefits, but who either need nursing facility care or reside in a facility and receive case management services. The Alternative Care Program averts the need for Medical Assistance enrollment (and costly nursing facility care) for high-need persons age 65 or older of marginal financial means by providing supports in their homes so that they need not spend down their remaining modest income and assets.

The Alternative Care Program is 100% state-funded, exclusive of client premiums. Because averting Medical Assistance eligibility saves both federal and state dollars, Minnesota proposes to access federal funds for a portion of the program's costs. Services, eligibility, and clients' responsibilities for the program are not expected to change.

The State proposes to evaluate the Alternative Care Program and its effects on nursing facility admissions, as well as the ability of certain low-income clients to remain in the community. Federal funds are especially important during a period of rapidly rising state health care costs, and will assist the Department in continuing to make Medical Assistance services available to the most needy clients.

Copies of the waiver request document are available to any interested party. Comments must be received by 5:00 p.m. on Thursday, January 26, 2006.

To request a copy of the waiver request document, please contact Stephanie Schwartz at (651) 431-2187. Direct comments or questions about the waiver request document to Stephanie Schwartz, Minnesota Department of Human Services, Federal Relations Unit, P.O. Box 64983, St. Paul, Minnesota 55164-0983, **Telephone:** (651) 431-2187, **Fax:** (651) 431-7421, or **E-mail:** stephanie.schwartz@state.mn.us

Department of Human Services

Health Services and Medical Management Division

Health Care Administration

Public Notice of Change in Medical Assistance Designation Of, And Rates For, Critical Access Dental Providers

NOTICE IS HEREBY GIVEN to recipients and enrollees, providers of services under the Medical Assistance (Medicaid) Program, and to the public of a change in the method to designate critical access dental providers and a change in the rates for these providers.

Currently, there are four types of critical access dental providers, including those providing dental services in an area in which a community foundation that is not a health care provider or a related entity makes funds available to increase reimbursement in order to expand access to each Minnesota Health Care Program (MHCP).

Minnesota Statutes, §256B.76(c) permits the Department of Human Services (DHS) to increase reimbursement to Medical Assistance critical access dental providers by up to 50% above the rate that would otherwise be paid to dental providers. Since 2002, rates paid to critical access dental providers on fee-for-service claims have been 40% above the rates that would otherwise be paid.

Effective upon federal approval, DHS will change how it designates critical access dental providers and the rates paid to such providers. The guidelines DHS will follow are: 1) assuring available funds are allocated proportionally to each economic development region in the state; 2) allocating available funds to as many eligible practices as possible; 3) allocating funds on a tiered basis, factoring in both total

Official Notices

Medical Assistance receipt volume and the percentage of each practice's MHCP receipts; and 4) assuring proportional allocations among dental practice dentists and specialists (for example, oral surgeons and orthodontists).

Designation as Critical Access Dental Provider

The following steps, in order, will occur in order to determine which practices receive critical access dental provider designation:

1. Practices apply to the Department each year for critical access dental provider designation
2. DHS will determine what percentage of MHCP clients are in each economic development region of the state. This information will permit DHS to allocate funding to each region in a proportional manner.
3. DHS will calculate each practice's share of the available funds, factoring in both practice receipt volume and percentage of the practice's receipts that are MHCP. The following standards will be applied: 70% of a practice's share will be based on the practice's Medical Assistance receipt volume, and 30% of a practice's share will be based on a ratio of the practice's total receipts to MHCP receipts.
 - DHS will assume that for each practice, 70% of all MHCP receipts are for services provided to Medical Assistance patients. For practices operating less than a full calendar year in 2004, DHS will annualize receipts. For practices that received critical access designation in 2004, the DHS will adjust receipts to factor out the portion that was critical access.
 - DHS will determine what percentage of each practice's services is MHCP dental services and, as a result, will give each practice a weighted "credit"

Note that this new allocation process also applies to a separate fund for dental providers practicing in an area in which a community foundation that is not a health care provider or a related entity makes funds available to increase reimbursement in order to expand access to Minnesota Health Care Programs.

Rates for Critical Access Dental Providers

DHS will run scenarios to determine the cost of allocating critical access dental funds to all applicants at varying payment rates (up to 50% above the rate that would otherwise be paid). For each payment rate, if the cost of funding is more than the available funds, DHS will either reduce the payment rate or adjust the number of practices designated as critical access dental providers.

For a practice that receives critical access dental provider designation, DHS will establish the practice's preliminary maximum annual rate cap by multiplying the practice's result in Step 3, above, by the available funding.

If needed, DHS will make changes to assure proportionality among regions and among specialists. For regions with allocations of more than 15% of their proportion of the available funding, DHS will proportionally distribute the total surplus across all regions. If more than 20% of available funds are allocated to specialists in a region, DHS will proportionally distribute the total surplus across that region's general dental practices.

The Department anticipates that the fee-for-service fiscal impact will be approximately \$861,800 for the last six months of State Fiscal Year 2006 (January 1, 2006 through June 30, 2006) and approximately \$1,742,200 for State Fiscal Year 2007 (July 1, 2006 through June 30, 2007).

These changes will be made to ensure cost predictability for DHS, critical access dental reimbursement predictability for providers, proportional allocation of available funds among geographic regions, and equity among general and specialty providers.

This notice is published pursuant to *Code of Federal Regulations*, Title 42, section 447.205 (42 CFR §447.50), which requires publication of a notice when there is a rate change in the methods and standards for setting payment rates for fee-for-service Medical Assistance services. Written comments and requests for information may be sent to Stephanie Schwartz, Federal Relations Unit, Minnesota Department of Human Services, P.O. Box 64983, St. Paul, Minnesota, 55164-0983, **phone:** (651) 431-2187 or **e-mail:** stephanie.schwartz@state.mn.us

**Department of Labor and Industry
Labor Standards Unit****Notice of Prevailing Wage Determinations for Commercial Projects**

On December 27, 2005, the commissioner determined and certified prevailing wage rates for Commercial construction projects in each of 87 counties statewide.

Copies may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road North, St. Paul, Minnesota 55155-4306, or by calling (651) 284-5091, or accessing our web site at www.doli.state.mn.us. Charges for the cost of copying and mailing are \$.25 per page up to the first 100 pages and \$.65 per page after that. Make check or money order payable to the State of Minnesota.

M. Scott Brener, Commissioner

State Rehabilitation Council**Meeting Dates: February 22 through May 24**

The State Rehabilitation Council will meet on the following dates at the designated location. For more information, please contact the Department of Employment and Economic Development at: phone: (800) 328-9095; (651) 296-5629. TTY: (800) 657-3973; (651) 296-3900. If accommodations are required, please request them no later than one week in advance.

February 22, 2006

MN Workforce Center
Rehabilitation Services
1 Mendota Road West
West St. Paul, MN 55118-4768
9:00 to 2:00
Ask at information desk for room

March 22, 2006

Radisson Hotel Roseville
2540 North Cleveland Avenue
Roseville, MN 55113
9:00 to 2:00

April 26, 2006

Radisson Hotel Roseville
2540 North Cleveland Avenue
Roseville, MN 55113
9:00 to 2:00

May 24, 2006

Radisson Hotel Roseville
2540 North Cleveland Avenue
Roseville, MN 55113
9:00 to 2:00

State Grants & Loans

In addition to requests by state agencies for technical/professional services (published in the State Contracts Section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself. Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

Department of Administration Governor's Council on Developmental Disabilities Notice of Funds for Local Self Advocacy Groups

The Governor's Council on Developmental Disabilities (GCDD) is pleased to announce that a total of \$15,000 is available to strengthen local self advocacy groups in Minnesota. Funds can be used for self advocates (people with developmental disabilities) to develop leadership skills. The minimum grant award to a local self advocacy group is \$500 and the maximum is \$2,500.

Activities must be completed and funds used by September 15, 2006. Eligible applicants are local self advocacy groups in Minnesota. **Application deadline is Tuesday, January 17, 2006 at 4:00 p.m. Please note:** The GCDD reserves the right to award less than the maximum of funds to applicants, refuse to fund an activity, or withdraw the availability of funds with notice.

All who are interested in applying for funds must use the GCDD application. For additional information or to request an application form, please contact:

Mary Jo Nichols
Governor's Council on Developmental Disabilities
370 Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155
Phone: (651) 282-2899
Toll free: (877) 348-0505
MN Relay: (800) 627-3529
E-mail: admin@state.mn.us

The application is also available at www.mnddc.org OR www.mncdd.org. See "News Items" on the home page.

Department of Employment and Economic Development Business & Community Development Division Request for Applications – Urban Initiative Program

The Urban Initiative Loan Program provides grants to qualified organizations, which use these funds to make loans to startup or expanding businesses located in low income areas. The overall objective of the program is to encourage private investment, provide jobs for minority persons and others, create and strengthen minority business enterprises, and promote economic development in a low-income area.

NOTICE IS HEREBY GIVEN that the Urban Initiative Board is accepting applications from non-profit organizations in the Twin Cities area to participate in the Urban Initiative Loan Program. Eligible groups are nonprofit corporations which demonstrate a capacity to make business loans, provide appropriate technical assistance to loan clients, and strengthen minority business enterprises. The amount of the grant to any one organization depends on a variety of factors including the availability of funds and experience of the lending organization. State funds must be matched by private sources. A full copy of the Request for Application is available upon request.

For more information contact:

Bart Bevins
Department of Employment and Economic Development
First National Bank Building
332 Minnesota Street, Suite E200
St. Paul, MN 55101-1351
Telephone: (651) 297-1170
E-mail: bart.bevins@state.mn.us

Mr. Bevins is the only person designated to answer questions regarding application for this grant program.

Applicants have until 5:00 p.m. on February 7, 2006 to submit applications to the Board. If mailed, applications must be received by that date.

Department of Public Safety

Office of Justice Programs

Notice of Application for Funding from the Bureau of Justice Assistance

The Office of Justice Programs is submitting an application for continued funding from the Bureau of Justice Assistance. The Edward Byrne Memorial Justice Assistance Grant Program (JAG) is administered by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. JAG blends the previous Byrne Formula and Local Law Enforcement Block Grant (LLEBG) programs. JAG funding is made available to state and local units of government to support a broad range of activities to prevent and control crime. Those wishing to comment on the application may contact Jeri Boisvert at the Department of Public Safety, **telephone number** (651) 284-3318 or **e-mail:** Jeri.Boisvert@state.mn.us.

State Contracts

Informal Solicitations: Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) Web site. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD Web site at www.mmd.admin.state.mn.us for informal solicitation announcements.

Formal Solicitations: Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements

Department of Administration

Help Your Business

Don't pass us almost \$3 billion a year -- that's what the *State Register* brings you in state government business and contracts. It's all in an easy to use format, with helpful LINKS, a simple special contracts section to review, and indices for handy reference. Subscriptions cost \$180 a year (normal cost \$260), or about \$3.50 per issue. Here's what you receive:

- **Contracts & Grants Open for Bid**
- **Indexes to Vols. 29, 28 and 27**
- **Early delivery, on Friday**
- **E-mailed to you . . . its so easy**
- **LINKS, LINKS, LINKS**
- **Index to Vol. 30**
- **Easy Access to State Register Archives**

It's all E-mailed to you, on Friday, instead of waiting for Monday's issue. Contact Jessie Rahmeyer, our subscriptions manager, at (651) 297-8774, or **Fax:** (651) 297-8260, or **E-mail:** jessie.rahmeyer@state.mn.us

State Contracts

Department of Administration Real Estate Management Division

Notice of Request for Proposals to Lease Office Space in City of Fergus Falls

NOTICE IS HEREBY GIVEN that the State of Minnesota, Department of Administration, requests Proposals to lease approximately 8,003 usable square feet of office space in the city of Fergus Falls, or within a ten mile radius of Fergus Falls.

To be eligible to submit a Proposal in response to this RFP, a Non-Binding Letter of Intent to Submit a Proposal must be received by 2:30 p.m. CST, January 17, 2006. The Proposal must be received in the Real Estate Management Division, Administration Building, 50 Sherburne Avenue, Room 309, St. Paul, MN 55155 no later than 2:30 p.m. CST, January 30, 2006.

All information and requirements regarding preparation and submission of a Proposal may be obtained at www.admin.state.mn.us, or requested by fax at (651) 215-6245, or requested by e-mail to kathy.meyer@state.mn.us.

Colleges and Universities, Minnesota State (MnSCU)

Notice of Availability of Request for Proposal (RFP) for Designer Selection for Parking Ramp at St. Cloud State University

(State Project No. 05-19)

The Minnesota State Colleges and Universities, acting as the owner for the State of Minnesota through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Minnesota State Colleges and Universities **website:** www.facilities.mnscu.edu, click on "Solicitation Announcements."

A project informational meeting has been scheduled for Wednesday, December 21, 2005, 11:00 a.m. at the James W. Miller Learning Resources Center on the St. Cloud State University Campus. Contact Steven Ludwig, (320) 308-2286, or e-mail at slludwig@stcloudstate.edu to sign up for the meeting.

Proposals must be delivered to Mary Golike, Executive Secretary, State Designer Selection Board, in the State Architect's Office, not later than 1:00 p.m. Wednesday, January 4, 2006. Late responses will not be considered.

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

Minnesota Office of Higher Education

Request for Proposals to Conduct an Economic Impact Assessment

The Minnesota Office of Higher Education is requesting proposals from qualified professionals to conduct an economic impact assessment of the economic impact on the state of Minnesota and the Rochester area if there was increased investment in the collaboration between the University of Minnesota in Rochester, Minnesota and the businesses in Rochester, Minnesota.

Proposals must be submitted **no later than January 11, 2006, 3:00p.m. Central Standard Time.**

The Request for Proposals (RFP) does not obligate the Office of Higher Education to complete this project, and the Office reserves the right to cancel the solicitation if it is considered to be in its best interest.

The total cost of this proposal is not to exceed \$65,000 for Fiscal Year 2006.

Copies of the complete RFP are available from:

Minnesota Office of Higher Education
Att. Cheryl Maplethorpe, Project Coordinator
1450 Energy Park Drive, Suite 350
St. Paul, MN 55108-5227

Fax: 651-642-0675

E-mail: cheryl.maplethorpe@state.mn.us

or at:

<http://www.ohe.state.mn.us/mPg.cfm?pageID=1314>

Minnesota House of Representatives

Human Resources Department

Public Notice of Request for Bid for Training Services

NOTICE IS HEREBY GIVEN that the Minnesota House of Representatives Human Resources Department is seeking bids from qualified vendors to provide staff training services. Training services requested include on-site training for approximately 50 administrative assistants, office managers, support professionals, administrative specialists and clerks. The training is to be conducted over 2 days and contractor must provide training materials. Topics to be covered include:

- Developing assertive behavior skills
- Handling difficult people
- Projecting a professional image
- Strategies to increase productivity

All bids must be submitted on the forms accompanying the specifications in a sealed envelope and delivered to 100 Rev. Dr. Martin Luther King Jr. Blvd., Room 185, State Office Building, no later than 1:00 p.m. Friday, January 6, 2006. Bid submittals will be opened publicly on that date and time.

A copy of the Request for Bid packet can be obtained by calling Human Resources, 185 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155, (651) 296-0297.

Department of Military Affairs

Cambridge, Minnesota

Notice of Availability of Request for Proposal (RFP) for Designer Selection for Armed Forces Reserve Center in the Faribault, Minnesota Area

State Project 05-18

The State of Minnesota, through its State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architect and engineering services to include structural, mechanical, electrical, civil, fire suppression engineering, landscape architect, licensed land surveyor, and geotechnical engineer for the above referenced project.

A full Request for Proposals and all addenda which may be necessary will be available on the Department of Military Affairs **website:** <http://www.dma.state.mn.us/STARC/fmo/fmom/RFP.htm> or **telephone** Carol Prozinski at (320) 616-2629 for alternative delivery.

Proposals must be delivered to Mary Golike, Executive Secretary, State Designer Selection Board, in the State Architect's Office, not later than 1:00 p.m., Tuesday, January 17, 2006. Late responses will not be considered.

A project informational meeting for the short listed firms will take place at the National Guard Armory, 2831 Park Avenue North, Faribault, Minnesota, on Thursday, February 2, 2006, time to be determined.

The Department of Military Affairs is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

Department of Military Affairs

Facilities Management Office, Camp Ripley, Little Falls, MN

Addenda Items to Request for Proposals for Consultant Services for a Combined Arms Collective Training Facility (CACTF)

Project No. 06501

The State of Minnesota, Department of Military Affairs, has solicited in the *State Register* dated December 12, 2005, for proposals from interested, qualified consultants to provide architect-engineer services to design a two-phased Combined Arms Collective Training Facility (CACTF) consisting of mock structures and utilities to simulate an urban setting for the training of soldiers for urban combat.

All addenda items to the Request for Proposal (RFP) are available on the Department of Military Affairs website:

<http://www.dma.state.mn.us/STARC/fmo/fmom/RFP.htm>

or telephone Anna Swoboda at (320) 616-2630 for a paper copy.

State Contracts

Department of Transportation (Mn/DOT)

Engineering Services Division

Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities (the "Consultant Pre-Qualification Program")

This document is available in alternative formats for persons with disabilities by calling Ron Bisek at (651) 296-1361 for persons who are hearing or speech impaired by calling the Minnesota Relay Service at (800) 627-3529.

Mn/DOT, working in conjunction with the Consultant Reform Committee, the Minnesota Consulting Engineers Council, and the Department of Administration, has developed the Consultant Pre-qualification Program as a new method of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT anticipates that most consultant contracts for highway-related technical activities will be awarded using this method, however, Mn/DOT also reserves the right to use RFP or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to complete or use the Consultant Pre-qualification Program.

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT's Consultant Services web site, indicated below, to see which highway related professional/technical services are available at this time. Following the advertisement of particular category of services, applications will be accepted on a continual basis.

All expenses incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

Consultant Pre-Qualification Program information, application requirements and application forms are available on Mn/DOT's **web site** at: <http://www.dot.state.mn.us/consult>

Send completed application material to:

Ron Bisek
Consultant Services
Office of Technical Support
Minnesota Department of Transportation
Consultant Services
395 John Ireland Boulevard, Seventh Floor North, Mail Stop 680
St. Paul, MN 55155

Note: DUE DATE: APPLICATION MATERIAL WILL BE ACCEPTED ON A CONTINUAL BASIS.

Department of Transportation (Mn/DOT)

Engineering Services Division

Notice Concerning Professional/Technical Contract Opportunities

NOTICE TO ALL: The Minnesota Department of Transportation (Mn/DOT) is now placing additional public notices for professional/technical contract opportunities on Mn/DOT's Consultant Services **website** at: www.dot.state.mn.us/consult.

New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

Non-State Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

Metropolitan Council

Notice of Request for Proposals (RFP) for Office Furniture Moving Services

Reference Number 05P135

The Metropolitan Council is soliciting proposals to provide Office Furniture Moving Services.

Issue Request for Proposals	January 03, 2006
Site Visit	January 10, 2006
Proposals Due	January 24, 2006
Award Contract	February 2006

All firms interested in submitting proposals for this contract and desiring to receive an RFP package are invited to make a written request either by e-mail, fax or mail to:

Sunny Jo Emerson
Administrative Assistant, Contracts and Procurement Unit
Metropolitan Council
230 East Fifth Street
St. Paul, MN 55101
Phone: (651) 602-1499
Fax: (651) 602-1083
E-mail: sunnyjo.emerson@metc.state.mn.us

Metropolitan Council - Metro Transit

Sealed Bids Sought for In-Ground Hoist Cylinder Replacement

The Metropolitan Council is soliciting sealed bids for the procurement of In-Ground Hoist Cylinder Replacement at Metro Transit's Overhaul Base Facility. Bids are due at **2:00 PM** on January 19, 2006. Bids must be submitted in accordance with the Invitation for Bids document available from:

Metropolitan Council
Metro Transit Purchasing Department
Janice Brumlow
515 N. Cleveland Avenue
St. Paul, MN 55114
(612) 349-5070

University of Minnesota

Subscribe to Bid Information Service (BIS)

The University of Minnesota offers 24 hour/day, 7day/week access to all Request for Bids/Proposals through its web-based Bid Information Service (BIS). Subscriptions to BIS are free. Visit our website at bidinfo.umn.edu or call the BIS Coordinator at (612) 625-5534.

Request for Bids/Proposals are also available to the public each business day from 8:00 a.m. to 4:30 p.m. in the Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Minneapolis, Minnesota 55454.

